

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

38163-0194US03

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/529401
Unassigned

INTERNATIONAL APPLICATION NO.

PCT/US03/030032

INTERNATIONAL FILING DATE

26 September 2003 (26.09.2003)

PRIORITY DATE CLAIMED

27 September 2002 (27.09.2002)

TITLE OF INVENTION

**METHODS AND DEVICES FOR INTRAMUSCULAR STIMULATION OF
UPPER AIRWAY AND SWALLOWING MUSCLE GROUPS**

APPLICANT(S) FOR DO/EO/US

Christy L. LUDLOW, Eric MANN, Theresa BURNETT, and Steven BIELAMOWICZ

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not transmitted by the International Bureau).
 - b. ☐ had been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 132 and 35 U.S.C.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Application Data Sheet; Cover Page of Published Application; Forms: PCT/IB/301, PCT/IB/304, PCT/IB/308, PCT/ISA/220, and PCT/ISA/210

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.21)

INTERNATIONAL APPLICATION NO.

ATTORNEY'S DOCKET NUMBER

10/529401

PCT/US03/030032

38163-0194US03

21. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1)-(5)):**

Basic National Stage Fee \$300.00

National Stage Search Fee \$500.00

National Stage Examination Fee \$200.00

CALCULATIONS PTO USE ONLY**ENTER APPROPRIATE BASIC FEE AMOUNT =****\$ 500.00**

Surcharge of \$130.00 for furnishing the oath or declaration later than
months from the earliest claimed priority date (37 CFR 1.492(e)).

☐ 20 ☐ 30

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	43 - 20 =	23	x \$50.00
Independent claims	9 - 3 =	6	x \$200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00

\$ 1,150.00**\$ 1,200.00****TOTAL OF ABOVE CALCULATIONS =****\$ 2,850.00**

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above
are reduced by 1/2.

SUBTOTAL =**\$ 2,850.00**

Processing fee of \$130.00 for furnishing the English translation later than
months from the earliest claimed priority date (37 CFR 1.492(f)).

☐ 20 ☐ 30
+**TOTAL NATIONAL FEE =****\$ 2,850.00**

Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$**TOTAL FEES ENCLOSED =****\$ 2,850.00****Amount to be
refunded:****\$****charged:****\$**

a. ☒ A check in the amount of \$2,850.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.

A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment

To Deposit Account No. 08-1641 A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b))
must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

HELLER EHRMAN LLP
1717 Rhode Island Avenue, N.W.
Washington, DC 20036
Phone: (202) 912-2000
Fax: (202) 912-2020
Customer No. 26633

SIGNATURE

Patricia D. Granados 3/28/05

NAME

Date

Patricia D. Granados

REGISTRATION NUMBER

33,683

1. LI.

NO. (IF KNOWN, SEE 37 CFR 1.7)

10/529401

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National Stage Examination Fee \$200.00

CALCULATIONS PTO USE ONLY

FEE VALUE ACCOUNTABILITY	
DEPOSIT ACCOUNT NO.	
08	1641
FEE CODE	VALUE
1632	(500)
1638	200
1641	100
1631	300

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 500.00

Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).

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☐ Sale Ref: 00000004

08/01/2005 HALVARAD 00000001 081641 10529401
03 FC:1631 100.00 DA 200.00 OP

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